

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against Sri S.Subramanyam, Inspector, Legal Metrology, Prakasam District – Trapped by the Anti Corruption Bureau Officials on 03.03.2008 – Sanction of Prosecution - Orders – Issued.

CONSUMER AFFAIRS, FOOD & CIVIL SUPPLIES (VS) DEPARTMENT

G.O.Ms.No. 43

Dated: 04-11-2008.

O R D E R:

Whereas, Sri S.Subramanyam, worked as Inspector, Legal Metrology, Markapur, Prakasam District from 12-07-2007 to 03-03-2008 and by virtue of the post held by him he falls under the category of Public Servants within the meaning of clause© section 2 of the Prevention of Corruption Act. 1988(Central Act.49 of 1988);

2. And whereas, it is alleged that Sri Janaki Narayana, S/o. Venkata Rangayya, is a Licensed Repairer in Markapur, Prakasam District. He has a licence bearing No.NLR/R.L/81/2006 to attend to the repairs of electronic weighing machines and mechanical weighing machines in Guntur, Nellore and Prakasam Districts. Sri Janaki Narayana also got licence from the Controller, Legal Metrology, Hyderabad vide bearing No.NLR/65/99 to attend to repairs of iron weights and scales in Markapuram Division. As a part of business, Sri Janaki Narayana attended to repair works to 10 electronic weighing machines of Darsi Village, 4 of Kuruchedu Villae, 3 of Talluru Village, 3 electronic machines & 3 platform machines of Thurpugangavaram Villlage, and handed over repair challans in the O/o. Inspector, Legal Metrology, Markapur requesting him to complete stamping work and to issue verification certificates. On 12.02.2008 Sri J.Narayana met Sri S.Subramanyam, Inspector, Legal Metrology, Markapur and requested him to complete stamping work at the respective villages, for which, Sri S.Subramanyam replied that he would attend soon. Again on 19-02-2008 Sri Janaki Narayana met Sri S.Subramanyam on this work, and Sri S.Subramanyam replied that he would visit on 20-02-2008 and complete the stamping work and demanded to pay Rs.300/- to each electronic weighing machine and Rs.100/- to each platform-weighing machine. On that Sri Janaki Narayana expressed his inability. Accordingly on 20-2-2008 Sri S.Subramanyam visited Darsi Village, attended to the stamping work of 10 pending weighing-machines and 3 more weighing machines repaired on the spot by Sri Janaki Narayana. For all these 13 weighing-machines, as per government rates totallingRs.6, 475/- was paid and the receipts and verification certificates were also obtained from Sri S.Subramanyam. On that day also Sri S.Subramanyam demanded bribe Rs.300/- for each weighing machine, but Sri Janaki Narayana expressed his inability. Then Sri S.Subramanyam told Sri Janaki Narayana that if he would not pay bribe amount Rs.7, 200/-for completed work and as well as pending work, he would not attend to the pending work i.e., stamping and issuing of certificates. Again on 23-2-2008 Sri J.Narayana met Sri S.Subramanyam and requested to visit the villages Kurichedu, T.Gangavaram, Talluru to complete the stamping work. But Sri S.Subramanyam replied that he would attend to the work after receipt of bribe amount Rs.7,200/- only. Later as there was no other way, Sri Janaki Narayana returned saying that he would come after 4 or 5 days;

3. And whereas, Sri Janaki Narayana who was not willing to pay demanded bribe amount to Sri S.Subramanyam, came to the O/o the Deputy Superintendent of Police, Anti Corruption Bureau, Nellore and gave a report. After due verification, the Deputy Superintendent of Police, Anti Corruption Bureau, Nellore registered the said report as a case in Cr.No.4/RCT-NPK/2008 under section of 7 of the Prevention of Corruption Act, 1988 (Central Act.49 of 1988) on 03.03.2008 took-up investigations;

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4. And whereas, on 03-03-2008 at 12.15 hours Sri Janaki Narayana went to the office of Sri S.Subramanyam. Sri Janaki Narayana requested Sri S.Subramanyam to complete his work. Sri S.Subramanyam asked him to give the demanded bribe amount. Then Sri Janaki Narayana gave the bribe amount of Rs.7,200/- to Sri S.Subramanyam who received with his right hand and counted with both hands twice and kept the amount in the right side hip pocket of his wearing pant. Sri S.Subramanyam asked him to give the details of the shops. Accordingly, Sri Janaki Narayana noted the details on a ruled paper and gave it to Sri S.Subramanyam. Sri S.Subramanyam kept the paper also in the pant right side hip pocket. After that Sri S.Subramanyam informed Sri Janaki Narayana that the certificates were ready and the next day morning he would visit the concerned shops for verification and stamping. Then Sri Janaki Narayana came out of the office and gave the pre-arranged trap signal at about 12.30 hours. Both the hand fingers of Sri S.Subramanyam subjected to the sodium carbonate solution separately. On doing so, both hands fingers of Sri S.Subramanyam yielded positive result. Then Sri S.Subramanyam voluntarily took out a wad of currency notes and one ruled paper from his pant right hip pocket and produced before the Deputy Superintendent of Police. The Deputy Superintendent of Police got the inner linings of the right hip pocket of the pant of Sri S.Subramanyam subjected to the chemical test which yielded positive result. The ruled paper was also swabbed with a cotton piece and subjected to the chemical test, which also yielded positive result. The tainted currency notes and the ruled paper attested by the mediators were seized by the Deputy Superintendent of Police for further investigation. The Deputy Superintendent of Police also seized the wearing pant of Sri S.Subramanyam. The Deputy Superintendent of Police seized the connected documents for investigation;

5. And whereas, the above said acts of Sri S.Subramanyam, Inspector, Legal Metrology, Markapur, Prakasam district constitute offence punishable under section 7, and sub-section (2) of section 13 read with 13(1) (d) of Prevention of Corruption Act, 1988 (Central Act.49 of 1988);

6. And whereas, the Government of Andhra Pradesh, Hyderabad being the competent authority to remove the said Sri S.Subramanyam from service after fully and carefully examining the material placed before them in respect of the aforesaid allegation and having regard to the circumstances of the case considered that the above said Sri S.Subramanyam, Inspector, Legal Metrology, Markapur, Prakasam District, should be prosecuted in a Court of Law for the above said offences.

7. Now, therefore in exercise of the powers conferred by Clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act.49 of 1988) the Government of Andhra Pradesh, Hyderabad hereby accord sanction for the prosecution of the said Sri S.Subramanyam, Inspector, Legal Metrology, Markapur, Prakasam District for the offences punishable under section 7 & 13(2), read with 13(1) (d) of Prevention of Corruption Act, 1988 (Central Act.49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(SANJAY JAJU),
E.O.SECRETARY TO GOVERNMENT.

To
The Director General,
Anti Corruption Bureau,
A.P.Hyderabad..

//FORWARDED BY::ORDER//

SECTION OFFICER